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LIMITED PARTNERSHIP (erroneously sued as
ALLTECK LINE CONTRACTORS, INC.)

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Attorney for Plaintiffs J.P., a minor, by and
through her guardian ad litem MEGANN PITTS,
and MEGANN PITTS

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

J.P., a minor, by and through her Guardian Ad
Litem MEGANN PITTS, and MEGANN
PITTS, individually,

Plaintiffs,

v.

ALLTECK LINE CONTRACTORS, INC.,
and DARREN KELLY,

Defendants.

Case No. 2:20-cv-01056-JAM-DMC

**AMENDED JOINT STIPULATION AND
REQUEST TO EXTEND DEADLINES IN
PRETRIAL SCHEDULING ORDER;
ORDER**

Plaintiffs JP and MEGANN PITTS (“Plaintiffs”), through their counsel
Walkup, Melodia, Kelly & Schoenberger, and Defendants ALLTECK LINE
CONTRACTORS, INC., and DARREN KELLY (hereinafter “Defendants”),
through their counsel Klinedinst PC, hereby stipulate and seek Court approval for
the following:

STIPULATION

Since this Court's Status (Pre-Trial Scheduling) Order of October 8, 2020, the parties have exchanged written discovery. Although this is a motor vehicle accident case, the injuries are complex and treatment is ongoing. Many medical disciplines are involved. In this regard, the medical records are voluminous and current treatment records are still needed for review by qualified professionals before conducting independent medical examinations and preparing expert witness reports required for disclosure.

The parties have encountered additional unforeseen issues in the discovery process, and further issues associated with Covid 19, have resulted in delays in the subpoena process to obtain relevant medical records and documentation needed for expert review. This has prevented the Parties from obtaining all the pertinent records such that additional time is needed to secure the medical and educational records, perform medical examinations, and to complete expert reports.

The Parties request an additional 60 day continuance of all non-expert and expert discovery deadlines in order to complete additional discovery, obtain the necessary medical, education, and treatment records, and to explore the possibility of settling and/or mediating Plaintiffs' claims. The continuance will not affect the dispositive motion date or impact the trial date. The parties have obtained one prior order from this Court extending the non-expert discovery deadlines, and one prior order extending the expert discovery deadlines.

Accordingly, the parties request to modify the Scheduling Conference Order as follows:

- (1) Expert Disclosure due by July 30, 2021
- (2) Rebuttal Expert Disclosure due by August 13, 2021;
- (3) Discovery Cutoff Date: October 15, 2021;
- (4) Dispositive Motion Filing Deadline: November 26, 2021
- (5) Dispositive Motion Hearing: January 11, 2022, at 1:30 p.m.;

(6) Joint Mid-Litigation Statement Filing Deadline: Fourteen (14) days prior to the close of discovery;

(7) Final Pretrial Conference: March 4, 2022 at 11:00 a.m.;

(8) Jury/Bench Trial: April 11, 2022 at 9:00 a.m.

SO STIPULATED.

Walkup, Melodia, Kelly & Schoenberger

DATED: May 27, 2021

By: /s/ Richard H. Schoenberger

(as authorized on May 27, 2021)

Richard H. Schoenberger

Plaintiffs J.P., a minor, by and through

her guardian ad litem MEGANN

PITTS, and MEGANN PITTS

KLINEDINST PC

DATED: May 27, 2021

By: /s/ Natalie P. Vance

Natalie P. Vance

Ernest L. Weiss

W. Jason Scott

Attorneys for Defendant

DARREN KELLY and ALLTECK

LIMITED PARTNERSHIP

(erroneously sued as ALLTECK LINE
CONTRACTORS, INC.)

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ORDER

Accordingly, for good cause and pursuant to the above Stipulation of the Parties, IT IS HEREBY ORDERED that the Scheduling Conference Order is modified as follows:

(9) Expert Disclosure due by July 30, 2021

(10) Rebuttal Expert Disclosure due by August 13, 2021;

(11) Discovery Cutoff Date: October 15, 2021;

(12) Dispositive Motion Filing Deadline: November 26, 2021

(13) Dispositive Motion Hearing: January 11, 2022, at 1:30 p.m.;

(14) Joint Mid-Litigation Statement Filing Deadline: Fourteen (14) days prior to the close of discovery;

(15) Final Pretrial Conference: March 4, 2022 at 11:00 a.m.;

(16) Jury/Bench Trial: April 11, 2022 at 9:00 a.m.

IT IS SO ORDERED.

DATED: May 27, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ

UNITED STATES DISTRICT COURT JUDGE